



Attorney's Docket No.: 07300-037003

1631

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ian A. Wilson et al.
Serial No. : 10/028,564
Filed : December 21, 2001
Title : SMALL MOLECULE MIMETICS OF ERYTHROPOIETIN

Art Unit :
Examiner :

Commissioner for Patents
Washington, D.C. 20231

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REMARKS

In an Office Action dated November 21, 2000 received in the parent to the present application (U.S. Serial No. 09/189,745; "the '745 application"), the Examiner stated that Table 3 constituted new matter. The Examiner stated that Table 3 "does not appear in the parent application." Thus, the Examiner stated that U.S. Serial No. 08/641,071 ("the '071 application"; now U.S. Patent No. 5,835,382) from which the '745 application claims priority did not include Table 3. However, the '071 application did include Table 3 (then referred to as "Appendix") as evidenced by the enclosed copy of the file history of the '071 application obtained from the U.S. Patent Office. As can be seen, the Appendix was stamped received by the U.S. Patent Office on April 26, 1996.

Applicant urges the Examiner to review the file history of the '071 application and confirm that Table 3 ("Appendix") was indeed filed with the '071 application and does not constitute new matter in the present application.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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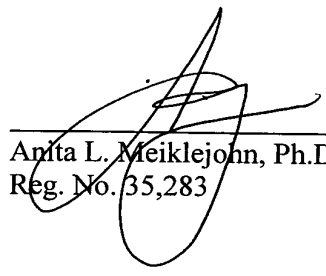
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Respectfully submitted,

Date: 11 April 2002



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